

United States Court of Appeals
For the Eighth Circuit

No. 12-2604

Sylvia Adorno; Todd Eberhardy; Lloyd C. Loftus; Karen L. Loftus;
Chad J. Gibeau; Mindy Ann Holzer; Robert E. Knutsen; Patricia C.
Knutsen; Steven J. Miller; Elaine M. McMahon-Miller; Mark L. Lutsey

Plaintiffs - Appellants

v.

CitiMortgage, Inc.; Mortgage Electronic Registration Systems, Inc.;
MERSCORP, Inc.; Federal National Mortgage Association;
Peterson, Fram & Bergman, P.A.

Defendants - Appellees

Appeal from United States District Court
for the District of Minnesota - Minneapolis

Submitted: May 13, 2013
Filed: June 13, 2013
[Unpublished]

Before WOLLMAN, MURPHY, and SMITH, Circuit Judges.

PER CURIAM.

Appellants are eleven homeowners (the Homeowners) who filed suit against CitiMortgage, Inc.; Mortgage Electronic Registration Systems, Inc.; MERSCORP, Inc.; and Federal National Mortgage Association (the Lenders/Servicers) for unlawfully foreclosing or attempting to foreclose on their home mortgages. The Homeowners also filed suit against Peterson, Fram & Bergman, P.A. (the Law Firm), which they claim assisted with some of the foreclosures. The district court¹ dismissed the Homeowners' complaint under Federal Rules of Civil Procedure 8 and 12(b)(6). We affirm.

The Homeowners' amended complaint asserted four claims against the Lenders/Servicers, one of which was also asserted against the Law Firm. On appeal, the Homeowners have abandoned all but their quiet title claim against the Lenders/Servicers under Minnesota Statute section 559.01. The district court dismissed the quiet title claim, concluding that it failed to satisfy the Rule 8 pleading standard. See D. Ct. Order of June 25, 2012, at 4-5. Notwithstanding this failure, the district court also concluded that it failed to state a claim upon which relief could be granted because it was based on the discredited show-me-the-note theory. See id. at 6-7. The Homeowners' quiet title claim is identical to the claim we recently rejected in Karnatcheva v. JPMorgan Chase Bank, N.A., 704 F.3d 545, 547-48 (8th Cir. 2013). Because the Homeowners have done nothing to distinguish this claim from the one found lacking in Karnatcheva, we affirm the district court's dismissal.

The judgment is affirmed.

¹The Honorable Donovan W. Frank, United States District Judge for the District of Minnesota.